

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF INDIANA
NEW ALBANY DIVISION

In re:)	Chapter 11
)	
EASTERN LIVESTOCK CO., LLC, et al., ¹)	Case No. 10-93904-BHL-11
)	
Debtors.)	JOINTLY ADMINISTERED

**PROPOSED AGENDA OF MATTERS SCHEDULED FOR
HEARING ON FEBRUARY 13, 2012 AT 10:00 A.M. EST**

James A. Knauer, the chapter 11 trustee appointed in this case ("Trustee"), by counsel, submits this proposed agenda for the telephonic hearing scheduled for February 13, 2012 at 10:00 a.m. EST ("Hearing") in Room 103, U.S. Courthouse, 121 West Spring Street, New Albany, Indiana. The Trustee anticipates that the matters before the Court for the Hearing will take approximately two (2) hours.

I. DIAL IN INFORMATION

The dial-in telephone number for interested parties to participate in the Hearing by conference call is 1-888-399-7768; passcode 586676, followed by the pound ("#") key.

II. CONTINUED MATTER

1. **["Motion to Quash"]** Motion To Quash Order Granting Motion For 2004 Examination Upon The United States Department Of Agriculture, Grain Inspection, Packers & Stockyards (docket #629) *continued from July 27, 2011, August 8, 2011 and August 22, 2011*
 - a) Brief In Support Of Motion To Quash Order Granting Motion For 2004 Examination Upon The United States Department Of Agriculture, Grain Inspection, Packers & Stockyards (docket #630)
 - b) Response To Motion To Quash Order for 2004 Examination (docket #636 and #638)
 - c) Order On Motion To Quash (docket #662)

¹ The Debtor entities are Eastern Livestock Co., LLC and Okie Farms, L.L.C.

Status: *Agreed Motion To Continue Hearing (docket #1008)*

III. NEW MATTERS

2. **["Motion to Compel"]** Motion To Compel The Trustee To Produce Budgets And Financial Information (docket #971)
 - a) Joinder of The First Bank and Trust Company to the Motion to Compel the Trustee to Produce Budgets and Financial Information (docket #976)
 - b) Trustee's Response To Motion To Compel (docket #1016)

Status: *Going forward*

3. **["Motion to Consolidate"]** Motion to Consolidate Cases (docket #975)
 - a) Trustee's Response To Florida Creditors' Rule 7042 Motion To Consolidate (docket #1018)
 - b) Florida Creditors' Motion To Seal Reply To Trustee Response And Notice Of Filing Evidentiary Materials In Support Of Florida Creditors Rule 7042 Motion To Consolidate And For Expedited Hearing (docket #1027)

Status: *Going forward*

4. **["Preference Avoidance Protocols"]** Trustee's Motion To Approve Certain Preference Avoidance Protocols And Terms Of Settlement (docket #977)
 - a) Superior Livestock Auction, Inc.'s Objection To Trustee's Motion To Approve Certain Preference Avoidance Protocols And Terms Of Settlement (docket #1015)

Status: *Going forward*

5. **["Motion to Compel"]** Superior Livestock Auction, Inc.'s Motion To Compel Trustee To File Mandatory Report Required By 11 U.S.C. §1106(a), To Amend Schedules And Statement Of Financial Affairs, And Produce Budgets (docket #983)
 - a) Trustee's Response To Motion To Compel Trustee To File Mandatory Report Required By 11 U.S.C § 1106(a), To Amend

Schedules And Statement Of Financial Affairs, And Produce
Budgets (docket #1017)

Status: *Going forward*

6. **["Motion to Extend Deadlines"]** Joint Motion To Extend Deadlines In Contested Matter Regarding First Bank & Trust's Objections To The Trustee's Purchase Money Claims Report (docket #989)

Status: *Going forward*

7. **["Motion for Protective Order"]** Motion of Fifth Third Bank, N.A. to Limit or, Alternatively, for a Protective Order (docket #1005)
- a) Exhibits A & B To Motion Of Fifth Third Bank, N.A. To Limit Discovery Or, Alternatively, For A Protective Order (Dkt No. 1005) (docket #1011)
 - b) [Joplin Regional Stockyards and Superior Livestock Auction, Inc.] Objection To Motion Of Fifth Third Bank To Limit Discovery Or , Alternatively, For A Protective Order (docket #1021)
 - c) [Florida Creditors] Joinder In Objection To The Trustee's Motion For Release Of Proceeds From Account (docket #1024)
 - d) [The First Bank and Trust Company] Objection To Motion Of Fifth Third Bank, N.A. To Limit Discovery Or, Alternatively, For A Protective Order (docket #1025)

Status: *Going forward*

8. **["2004 Motion "]** Motion For Rule 2004 Examinations (docket #1022)
- a) Fifth Third Bank, N.A.'s Objection To The Trustee's Motion For Rule 2004 Examinations (docket #1028)

Status: *Going forward*

IV. ADVERSARY PROCEEDINGS

9. **["Downs"]** James A. Knauer, Chapter 11 Trustee of Eastern Livestock Co., LLC vs Willie Downs (Adv. Proc. 11-59086)
- a) [Bluegrass Stockyards, LLC, Bluegrass Stockyards East, LLC, and Bluegrass Stockyards of Richmond, LLC] Motion For Determination As To Confidentiality Of Documents Produced To

Data Room Or, Alternatively, To File Documents Under Seal As Required By Discovery Protocol And Confidentiality Agreement (docket #52)

Status: *Going forward*

10. **["Superior"]** Superior Livestock Auction, Inc. vs Eastern Livestock Co., LLC (Adv. Proc. 11-59088)

- a) Motion of Fifth Third Bank, N.A. to Limit or, Alternatively, for a Protective Order (docket #119)

Status: *Going forward*

11. **["Friona"]** Friona Industries, LP, et al. vs Eastern Livestock Co., LLC, et al. (Adv. Proc. 11-59093)

- a) Motion For Leave To File Answer Out Of Time Of Defendants Robert Nichols, Jane Nichols, Nichols Livestock, And Jane, LLC (dkt #362)
- b) Cactus Grower Inc.'s Response To Motion For Leave To File Answer Out Of Time Of Defendants Robert Nichols, Jane Nichols, Nichols Livestock, And Jane, LLC (dkt #364)
- c) Motion of Fifth Third Bank, N.A. to Limit or, Alternatively, for a Protective Order (docket #366)
- d) [The First Bank and Trust Company] Objection To Motion Of Fifth Third Bank, N.A. To Limit Discovery Or, Alternatively, For A Protective Order (docket #373)
- e) [Bluegrass Stockyards, LLC, Bluegrass South Livestock Market, LLC, Bluegrass Stockyards East, LLC, Bluegrass Stockyards of Campbellsville, LLC, Bluegrass-Maysville Stockyards, LLC, Alton Darnell, East Tennessee Livestock Center, Inc., Moseley Cattle Auction, LLC, Piedmont Livestock Company, Inc., and Southeast Livestock Exchange, LLC] Motion For Determination As To Confidentiality Of Documents Produced To Data Room Or, Alternatively, To File Documents Under Seal As Required By Discovery Protocol And Confidentiality Agreement (docket #376)

Status: *Going forward*

12. **["Innovative"]** Innovative Livestock Services, Inc., et al. vs Eastern Livestock Co., LLC, et al. (Adv. Proc. 11-59098)

- a) Motion of Fifth Third Bank, N.A. to Limit or, Alternatively, for a Protective Order (docket #59)

Status: *Going forward*

13. **["Rush Creek Ranch"]** Rush Creek Ranch, LLLP vs Eastern Livestock Company, LLC, et al. (Adv. Proc. 11-59104)

- a) Florida Creditors Rule 7042 Motion To Consolidate (docket #29)
- b) Motion of Fifth Third Bank, N.A. to Limit or, Alternatively, for a Protective Order (docket #34)
- c) Trustee's Response To Florida Creditors' Rule 7042 Motion To Consolidate (docket #38)

Status: *Going forward*

14. **["Fredin Brothers"]** Fredin Brothers, Inc. vs Bankers Bank, et al. (Adv. Proc. 11-59108)

- b) Motion of Fifth Third Bank, N.A. to Limit or, Alternatively, for a Protective Order (docket #79)

Status: *Going forward*

V. RELATED CASE

In re Thomas and Patsy Gibson, Case No. 10-93867

15. **["Employment of Rubin & Levin"]** Application of Chapter 7 Trustee for an Order Under 11 U.S.C. §§327 and 328 Authorizing the Employment and Retention of Rubin & Levin, P.C. as Special Litigation Co-Counsel to the Trustee on an Hourly and Contingency Fee Basis and Approving Fee Agreement (docket #429)

- a) Eastern Livestock Trustee's Objection To Application Seeking Authorization To Employ Rubin & Levin, P.C. As Special Litigation Co-Counsel (docket #442)
- b) Objection Of Fifth Third Bank To Application Of Chapter 7 Trustee For An Order Authorizing The Employment And

Retention Of Rubin & Levin, P.C. As Special Litigation Co-Counsel (docket #443)

- c) Trustee's Response to the Objection of Fifth Third Bank to the Trustee's Application for an Order Authorizing the Employment and Retention of Rubin & Levin, P.C. as Special Litigation Co-Counsel (docket #480)
- d) Trustee Pry's Response To The Objection Of James A. Knauer, Trustee For Eastern Livestock Co., LLC To The Trustee's Application For An Order Authorizing The Employment And Retention Of Rubin & Levin, As Special Litigation Co-Counsel (docket #481)

Status: *Going forward*

VI. NEXT SCHEDULED HEARING

The dial-in telephone number for interested parties to participate in the upcoming scheduled hearing, as indicated below, by conference call is 1-888-399-7768; passcode 586676, followed by the pound ("#") key. The hearing will be held in Room 103, U.S. Courthouse, 121 West Spring Street, New Albany, Indiana.

Hearing Date

March 12, 2012

Time

10:00 a.m. EDT

Respectfully submitted,

FAEGRE BAKER DANIELS LLP

By: /s/Terry E. Hall

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CERTIFICATE OF SERVICE

I hereby certify that on February 10, 2012, a copy of the foregoing pleading was filed electronically. Notice of this filing will be sent to the following parties through the Court's Electronic Case Filing System. Parties may access this filing through the Court's system.

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I further certify that on February 10, 2012, a copy of the foregoing pleading was served via electronic mail transmission on the following:

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